

### **DETAILED ACTION**

1. This action is responsive to the amendments filed December 27, 2008. In the instant amendment, claims 1, 8, 16 and 20 have been amended; claims 15 and 19 have been canceled; claims 27 and 28 have been added.
2. Claims 1, 2, 4-12, 14, 16-18 and 20-28 have been examined, and all remained pending claims now are being allowed (renumbered 1-24).

### **Examiner's Amendments**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

4. On March 10, 2009, the examiner contacted Mr. Genco (Reg. No. 58, 096) to request authorization for examiner's amendments to put the claims in condition of allowance.

On March 11, 2009, Mr. Genco replied with proposed amendments that agreed with the examiner's suggestion as follows:

Amend independent claims 1, 8, 16 and 20 with minor amendments to improve clarity; and

Cancel claims 15 and 19, and incorporate these limitations into independent claims 1, 8, 16 and 20.

Accordingly, claims 15 and 19 will be canceled, thus yields claims 1-2, 4-12, 14, 16-18 and 20-28 remaining pending and under condition of allowance.

IN THE CLAIMS:

**Claim 1 (Currently Amended),**

Line 3: delete "a customer providing" and add - -a planning department receiving-  
-;

Line 3, after "information", add - -from a customer- -;

Line 7: delete "a" and add - -the- -;

Line 7: delete "provided" and add - -received- -;

Lines 15-16: after "for the release", delete "based on the information" and add - -  
via a software tool that uses past experience and the information received from the  
customer as input and produces an estimate of resources required for the software  
development project as output- -;

Line 17: after "reduces", add - -availability of- -;

Line 17: after "capacity", delete "available";

Line 21: delete "offering the customer, through"; and

Line 21, after "the planning department", delete "," and add - -offering the  
customer- -.

**Claim 8 (Currently Amended),**

Line 8: before "the customer", add - -the planning department receiving approval  
of the project from- -;

Line 8: after "in the define phase," delete "approving the project";

Lines 15-16, after "for the release", delete "based on the preliminary information  
and past experience" and add - -, wherein the reserving of resources is aided by a  
software tool that uses past experience and the preliminary information as input and  
produces an estimate of the resources required as output- -;

Line 16, after "reduces", add - -availability of- -;

Line 17, after "capacity", delete "available".

**Claim 15 (Canceled).**

**Claim 16 (Currently Amended),**

Line 16, after "for the release", add - -, wherein the reserving of resources is aided by a software tool that uses past experience and the information submitted by the customer as input and produces an estimate of the resources required as output- -;

Line 17: after "reduces", add - -availability of- -; and

Line 18, delete "available".

**Claim 19 (Canceled).**

**Claim 20 (Currently Amended),**

Line 14, after "of the release", add - -, wherein the reserving of capacity for the approved project is aided by a software tool that uses past experience and the information regarding the approved project as input and produces an estimate of the resources required as output- -; and

Line 15, after "reduces", add - -availability of- -.

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### **Examiner's Statement of Reasons for Allowance**

5. As Applicants pointed out in the Remarks, the prior art of record (Miller) does not disclose and/or fairly suggest at least claimed limitations in independent claim 1  
*"...reserving resources for a project from predefined resource capacity for a release and reducing the predefined resource capacity available in the release for subsequent software development projects prior to completing a detailed requirements analysis;*

*...the detailed requirements analysis includes a plurality of steps including one or more of functional requirements modeling, system requirements modeling, and application integration modeling;*

*...reserving resources ... via a software tool that uses past experience and the information received from the customer as input and produces an estimate of resources required for the software development project as output"* (Remarks, pp. 18-22) and similarly recited in such manners in independent claim 8 (Remarks, page 23), independent claim 16 (Remarks, pp. 24-25) and independent claim 20 (Remarks, pp. 25-26).

These claimed limitations are not present in the prior art of record and would not have been obvious, thus all pending claims 1, 2, 4-12, 14, 16-18 and 20-28 are allowed.

### **Conclusion**

6. Any inquiry concerning this communication should be directed to examiner Thuy Dao (Twee), whose telephone/fax numbers are (571) 272 8570 and (571) 273 8570, respectively. The examiner can normally be reached on every Tuesday, Thursday, and Friday from 6:00AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam, can be reached at (571) 272 3695.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273 8300.

Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is (571) 272 2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Thuy Dao/  
Examiner, Art Unit 2192

/Tuan Q. Dam/  
Supervisory Patent Examiner, Art Unit 2192